

REMARKS/ARGUMENTS

Applicants thank the Examiner for the thorough consideration given the present application. Claims 1, 2, 4, 5, 8-10, 12, 13, and 16-23 are pending in the present application. Claims 1, 2, 4, 8-10, 12 and 16 are amended. Claims 3, 6, 7, 11, 14, and 15 are cancelled. Claims 17-23 are new. Claims 1, 9, and 17 are independent claims. The Examiner is respectfully requested to reconsider the outstanding rejections in view of the Amendments and Remarks as set forth hereinbelow.

Drawings

The Examiner has objected to the drawings because Figs. 1(a), 1(b), and 2 should be designated by a legend indicating only that which is old is illustrated. Accordingly, these figures have been amended to include the label "Conventional Art." Thus, the Examiner is respectfully requested to withdraw this objection.

Acknowledgment of Information Disclosure Statements

The Examiner has acknowledged the Information Disclosure Statement respectively filed on September 5, 2002, May 1, 2003 and November 24, 2003. Initialed copies of the corresponding

PTO-1449s have been received from the Examiner. No further action is necessary at this time.

Rejection Under 35 U.S.C. § 102

Claims 1, 2, 4, 8-10, and 16 stand rejected under 35 USC 102(b) as being anticipated by U.S. Patent No. 5,436,890 to Read et al. (hereinafter Read). This rejection, insofar as it pertains to the presently pending claims, is respectfully traversed.

As amended, independent claims 1 and 9 each recites transmitting SONET/SDH formatted data as one or more serial data signals via a backplane. Applicants respectfully submit that Read fails to disclose this feature.

Particularly, Applicants submit that Read fails to disclose a backplane. The Examiner seemingly acknowledges this point in the third paragraph of page 7 in the Office Action. In this section, the Examiner admits that Read fails to "disclose the first card, the cross-connect card and the second card [being] interconnected by a backplane within the electronic system."

However, the Examiner asserts that U.S. Patent No. 6,587,470 to Elliot et al. (hereinafter Elliot) teaches a backplane. See third paragraph of page 7 in the Office Action.

Applicants respectfully submit, however, that Elliot teaches away from transmitting data over a backplane as serial

data signals. Particularly, Elliot discloses that the network interface sub-systems (including the network interface cards) are connected to the cross-connect via a parallel data bus on the backplane. See, e.g., Elliot at column 8: lines 11-15, 27-31, and 34-38.

Furthermore, Applicants respectfully submit that there is no teaching in Read or Elliot that would provide a suggestion or a motivation to modify Elliot's backplane to carry serial data signals.

Thus, it is respectfully submitted that Elliot fails to disclose transmitting serial data signals over a backplane, as required by independent claims 1 and 9. Therefore, Applicants submit that claims 1 and 9 are allowable at least for this reason. Furthermore, it is respectfully submitted that claims 2, 4, 8, 10, and 16 are allowable at least by virtue of their dependency on claims 1 and 9. Thus, reconsideration and withdrawal of this rejection is respectfully requested.

Rejection Under 35 U.S.C. § 103

Claims 5 and 13 stand rejected under 35 USC § 103(a) as being unpatentable over Read in view of Elliot. For the reasons discussed above in connection with independent claims 1 and 9, Applicants respectfully submitted that the combination of Read

and Elliot fail to teach or suggest all of the claimed features in independent claims 1 and 9. Accordingly, Applicants respectfully submit that claims 5 and 13 are allowable at least by virtue of their dependency on claims 1 and 9.

Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

New Claims

Claims 17-23 have been newly added to the present application. Similar to claims 1 and 9, Applicants respectfully submit that independent claim 17 recites a backplane configured to carry data as one or more serial data signals. Thus, at least for the reasons similar to those set forth above in connection with claims 1 and 9, Applicants respectfully submit that claim 17 is allowable over the cited prior art. Furthermore, Applicants respectfully submit that claims 18-23 are allowable at least by virtue of their dependency on independent claim 17.

Conclusion

Since the remaining patents cited by the Examiner have not been utilized to reject the claims, but to merely show the state of the art, no comment need be made with respect thereto.

In view of the above amendments and remarks, the Examiner is respectfully requested to reconsider the outstanding rejections and issue a Notice of Allowance with respect to the pending claims.

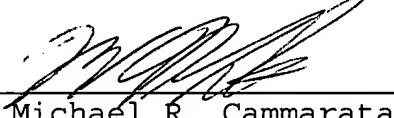
Should the Examiner believe that any outstanding matters remain in the present application, the Examiner is respectfully requested to contact Jason W. Rhodes (Reg. No. 47,305), at the telephone number of (703) 205-8000, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By _____

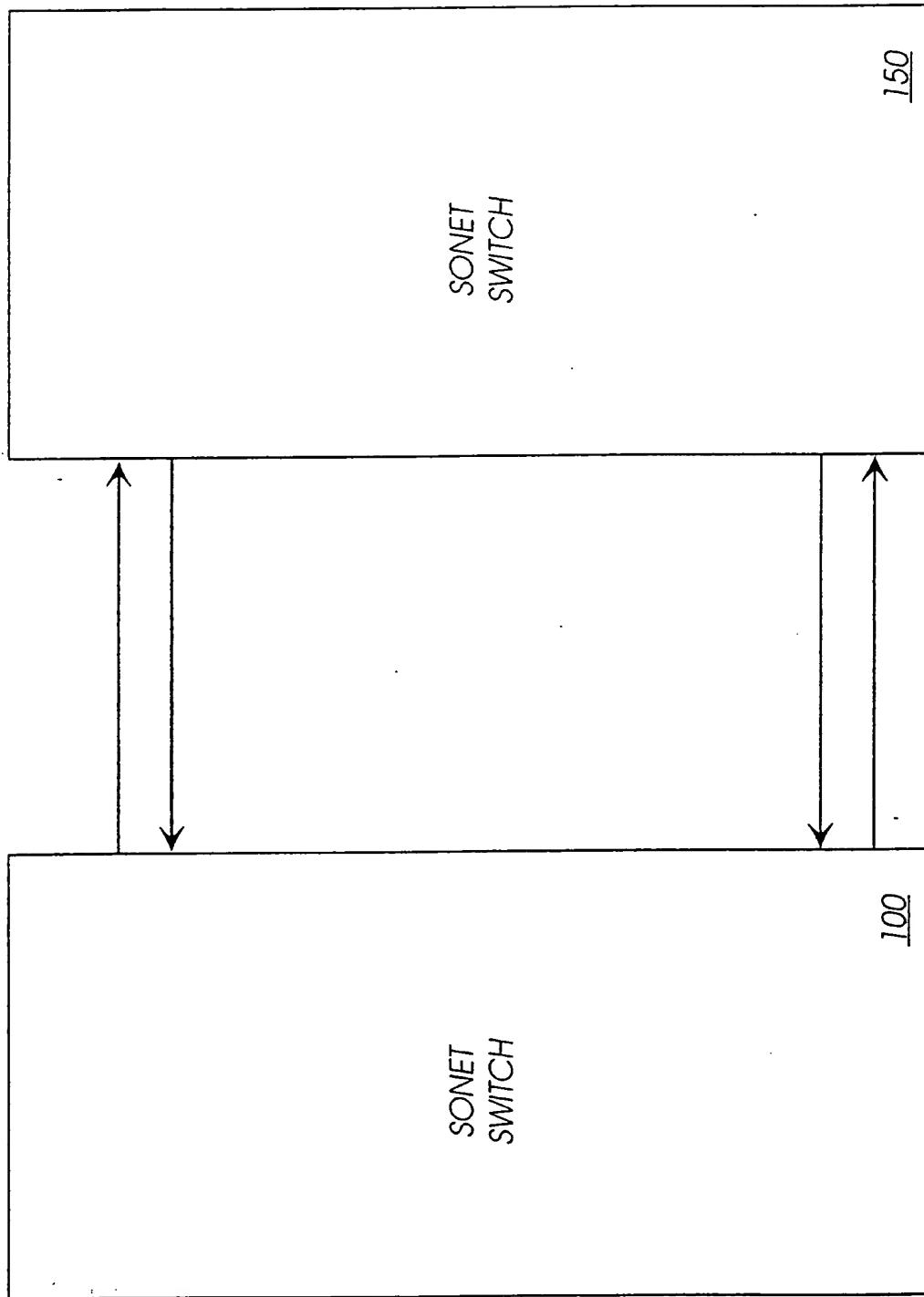


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FIG. 1a
CONVENTIONAL ART



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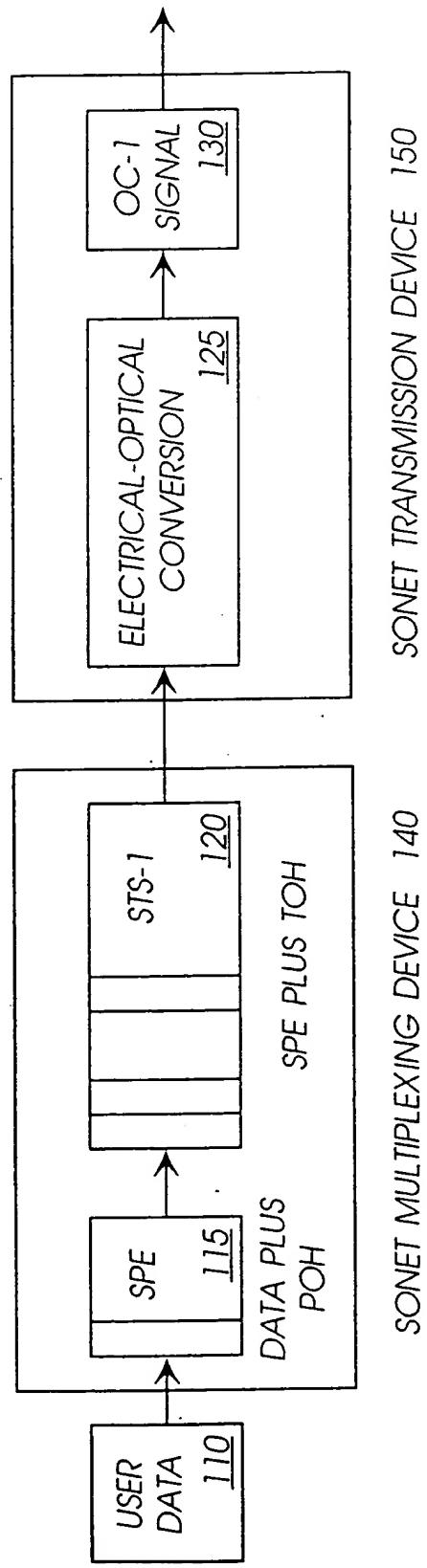


FIG. 1b
CONVENTIONAL ART

FIG. 2
CONVENTIONAL ART

